

DEPARTMENT OF ADMINISTRATION  
ONE CAPITOL HILL  
PROVIDENCE RHODE ISLAND 02908  
**PERSONNEL APPEAL BOARD MEETING**  
THURSDAY, AUGUST 25, 2016, 2:00 P.M.

**MEETING MINUTES**

**POSTED: September 6, 2016**

A meeting of the Personnel Appeal Board convened on Thursday, August 25, 2016 at 2:03 p.m. at the Department of Administration, One Capitol Hill 3<sup>rd</sup> Floor, PAB Conference Room, Providence, Rhode Island in accordance with the public notice of its agenda posted on August 22, 2016.

**Open Session:**

Vice Chair Susan T. Perkins called the meeting to order and undertook a roll call for attendance. Members of the Board in attendance for the hearing were as follows:

- Susan T. Perkins, Esq. – Vice Chair
- Alison Eichler - Member
- William R. Facente – Member

Others in attendance were:

- Steven M. Merolla, Esq., PAB Attorney
- Donna M. Conway – PAB Administrative Assistant
- Benjamin LaFazia – RICLAS, Appellant
- Albert LaFazia – Witness for the Appellant
- George Rinaldi, Esq. – State Attorney
- Erin Perron – RICLAS, Acting Director

Vice Chair Perkins noted that a quorum of members was present to conduct business.

**New Business**

**Benjamin LaFazia v. RICLAS (16-022):**

The hearing began with Vice Chair Perkins stating for the record that the Board would hear the jurisdictional issues of the appeal first, and would start with the State's argument. Mr. Rinaldi argued that the Personnel Appeal Board did not have jurisdiction over this appeal because the appellant had filed out of time, and had already started a grievance process through his union. The Board heard counter arguments from the appellant, Benjamin LaFazia.

Mr. Rinaldi stated that there was a grievance hearing scheduled for Mr. LaFazia on September 15, 2016. The Board recessed so that Mr. Rinaldi could confirm the scheduled grievance hearing at 2:43 p.m.

At 2:53 p.m., the hearing reconvened and Mr. Rinaldi confirmed the date, time and location of Mr. LaFazia's scheduled grievance hearing.

On motion made by Mr. Facente and seconded by Ms. Eichler, the Board voted unanimously to dismiss the appeal based on lack of jurisdiction.

**Approval of Minutes:**

- **July 21, 2016:** On motion made by Mr. Facente and seconded by Ms. Eichler, the Board voted unanimously to approve the minutes. Ms. Perkins abstained.
- **July 28, 2016:** On motion made by Mr. Facente and seconded by Ms. Perkins, the Board voted unanimously to approve the minutes. Ms. Eichler abstained.

**Adjournment:**

On motion made by Ms. Perkins and seconded by Ms. Eichler, the Board voted to adjourn the meeting at 2:55 p.m.

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Donna Conway, in her capacity as Administrative Assistant